

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Faith S. Hochberg  
v. : Criminal Number 11-248 (FSH)  
MICHAEL ARPAIO : O R D E R

This matter having been opened to the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Anthony Moscato, Assistant U.S. Attorney, appearing), and defendant Michael Arpaio (Chester Keller, Esq. appearing), for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has a right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to this first continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which plea would render trial of this matter unnecessary;

2. The defendant has consented to the aforementioned continuance;

3. The failure to grant such a continuance in the proceedings would be likely to result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i); and

4. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 11<sup>th</sup> day of May, 2011,

IT IS ORDERED:

1. The defendant will file pretrial motions on or before July 26, 2011;

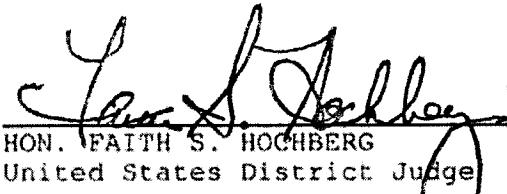
2. The United States will respond to such motions on or before August 5, 2011;

3. The defendant will file any reply papers on or before August 15, 2011;

4. The return date for pretrial motions will be August 22, 2011; and

5. Trial will commence on September 6, 2011, at 9:00 a.m.

6. IT IS FURTHER ORDERED that the period from May 3, 2011 through and including September 6, 2011, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7).

  
HON. FAITH S. HOCHBERG  
United States District Judge

Consented to:

  
Anthony Moscato,  
Assistant U.S. Attorney

  
Chester Keller, Esq.  
Attorney for defendant Arpaio